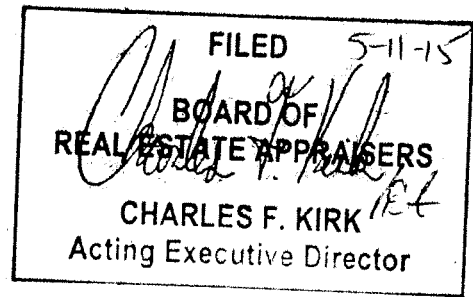


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COPY



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE REAL ESTATE  
APPRAISER BOARD

IN THE MATTER OF THE LICENSE  
OR CERTIFICATION OF

GERILYN J. FIORE  
Certification # 42RC00102800

TO ENGAGE IN THE PRACTICE OF  
REAL ESTATE APPRAISING  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Real Estate Appraisers ("Board") upon receipt of information concerning appraisal reports prepared by Gerilyn J. Fiore ("Respondent") for properties located at 73 North Grove Street, East Orange, New Jersey (effective date December 23, 2011) and 373 Saint Nicholas Avenue, Haworth, New Jersey (effective date December 1, 2012).

The Board mailed letters of inquiry to Respondent seeking her replies to the complaints about both appraisal reports. Respondent failed to reply and a Provisional Order of Discipline was filed based upon her failure to cooperate with Board investigations. Respondent failed to reply to the Provisional Order of Discipline and a Final Order of Discipline was filed, by default, on April 2, 2014. The Final Order of Discipline imposed a two thousand dollar civil penalty and suspended Respondent's certification until she fully cooperated with the Board's investigations concerning both appraisal reports. Respondent petitioned for reinstatement of her certification, provided responses to the Board's letters of inquiry about each appraisal report, and appeared before a committee of the Board on October 28, 2014 to give testimony concerning the East Orange report. As the complainant failed to provide requested and necessary information concerning the Haworth report, the Board determined that there was no cause for action against Respondent regarding that report.

Respondent testified that a compilation of personal hardships and tragedies in and around 2011 - 2012 caused her to make errors in the report and ultimately to take time off from appraisal work. Respondent has not practiced appraising since 2012. Respondent acknowledged the errors in the East Orange

report and maintained that she is undergoing treatment to address her personal issues. She would like to practice appraising in the future.

By decision dated November 10, 2014, the New York Department of State, Division of Licensing Services, suspended Respondent's New York certification to practice as a real estate appraiser until she provides proof of completion of required continuing education.

The Board finds that in preparing the East Orange report, Respondent violated provisions of the Uniform Standards of Professional Appraisal Practice ("USPAP") (2010-2011 Edition, effective January 1, 2010 through December 31, 2011), including the following:

1. Standards Rule 1-1(c) in that Respondent rendered appraisal services in a careless manner by making a series of errors that, although individually might not significantly affect the results of an appraisal, in the aggregate affects the credibility of those results; and

2. Standards Rule 2-1(b) in that Respondent failed to prepare and attach an addendum to the report, and as such, the appraisal report did not contain sufficient information to enable the intended users of the appraisal to understand the report properly.

The Board concludes that, by failing to ensure that the subject property appraisal conformed to the requirements of the USPAP, Respondent violated N.J.A.C. 13:40A-6.1 and engaged in professional misconduct. The Board thus finds that cause for formal action against Respondent exists pursuant to N.J.S.A. 45:1-21(e) and (h). Additionally, the Board finds that Respondent has had her authority to engage in real estate appraising suspended by another state for reasons consistent with grounds upon which the Board imposes discipline (failure to complete required continuing education).

The parties desiring to resolve this matter without need for further proceedings, Respondent waiving any right to a hearing, and the Board being satisfied that good cause exists for the entry of the within Order;

IT IS on this 11<sup>th</sup> day of May, 2015

ORDERED and AGREED:

1. Respondent's certification to practice real estate appraising shall be reinstated upon Board review and approval of a completed application, including all fees and required continuing education, and after payment of any and all civil penalties previously imposed by Board Order.

2. Upon reinstatement, Respondent shall be placed on probation. The period of probation shall be, at a minimum, the

time that it takes for Respondent to complete and submit 25 appraisal reports from assignments. During the period of probation, Respondent shall only work under the supervision of a Board-approved supervisor. Respondent shall obtain written pre-approval from the Board of any supervisor with whom she intends to practice. The Board-approved supervisor shall sign all of Respondent's appraisal reports as a Supervisory Appraiser. After 25 reports have been prepared by Respondent and submitted to clients, the supervisor shall submit to the Board a written report opining on whether Respondent needs further supervision or can practice without supervision. Respondent shall present the Board with a log of all appraisal reports completed during the period of probation (a minimum of 25). The Board will then review a random selection of reports and determine whether further probation is warranted and on what terms, or whether the period of probation can be terminated.

3. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, Respondent's certification may be automatically suspended by the Board until further Order of the Board. Within fifteen days following receipt of such notice,

Respondent may request a hearing to contest the entry of such an Order. At any such hearing, the sole issue shall be whether any of the information received was materially false. In addition, the Board reserves the right to bring further disciplinary action upon receipt of any new information.

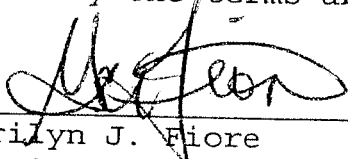
4. Respondent may petition the Board, in writing, to have the period of probation lifted following completion of 25 reports under supervision. In any such petition, Respondent shall demonstrate her full compliance with the terms of this Order and with the Board's continuing education regulations.

NEW JERSEY STATE REAL  
ESTATE APPRAISER BOARD

By: \_\_\_\_\_

Joseph Palumbo  
Board President

I have read and understand  
this Order, agree to the entry  
of this Order as a matter  
of public record, and agree to be  
bound by the terms above.

  
\_\_\_\_\_  
Gerilyn J. Fiore  
Certification # 42RC00102800